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# भारत का राजपत्र

## The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 2

PART II — Section 2

प्राधिकार से प्रकाशित

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नई दिल्ली, मंगलवार, अक्टूबर 21, 2008/आस्विन 29, 1930

No. 19]

NEW DELHI, TUESDAY, OCTOBER 21, 2008 / ASVINA 29, 1930

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

### LOK SABHA

The following Bills were introduced in the Lok Sabha on 21st October, 2008:—

#### BILL NO. 60 OF 2008

*A Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2008-09.*

BE it enacted by Parliament in the Fifty- ninth Year of the Republic of India as follows:—

1. This Act may be called the Appropriation ( No. 3 ) Act, 2008.

Short title.

2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of two lakh thirty-seven thousand two hundred eighty-five crore and eighty-four lakh rupees only towards defraying the several charges which will come in course of payment during the financial year 2008-09 in respect of the services specified in column 2 of the Schedule.

Issue of  
Rs.237285,84,00,000  
out of the  
Consolidated  
Fund of India  
for the Financial  
year 2008-09.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

Appropriation.

**THE SCHEDULE**  
**( See sections 2 and 3 )**

No. of Vote	Services and purposes	<b>Sums not exceeding</b>			
		<b>Voted by Parliament</b>	<b>Charged on the Consolidated Fund</b>	<b>Total</b>	
		<b>Rs.</b>	<b>Rs.</b>	<b>Rs.</b>	
1	Department of Agriculture and Cooperation.....	Revenue Capital	280,39,00,000 65,68,00,000	.. ..	280,39,00,000 65,68,00,000
2	Department of Agricultural Research and Education.....	Revenue	213,44,00,000	..	213,44,00,000
3	Department of Animal Husbandry, Dairying and Fisheries.....	Revenue Capital	24,66,00,000 1,00,000	43,00,000 ..	25,09,00,000 1,00,000
4	Atomic Energy.....	Revenue Capital	609,12,00,000 37,39,00,000	.. ..	609,12,00,000 37,39,00,000
5	Nuclear Power Schemes.....	Revenue	6,23,00,000	..	6,23,00,000
6	Department of Chemicals and Petrochemicals.....	Revenue	7,11,00,000	..	7,11,00,000
7	Department of Fertilisers.....	Revenue	52865,56,00,000	..	52865,56,00,000
8	Ministry of Civil Aviation.....	Revenue	10,14,00,000	..	10,14,00,000
9	Ministry of Coal.....	Revenue	2,58,00,000	..	2,58,00,000
10	Department of Commerce.....	Revenue Capital	360,66,00,000 1,00,000	1,00,000	360,67,00,000 1,00,000
11	Department of Industrial Policy and Promotion...	Revenue	27,89,00,000	..	27,89,00,000
12	Department of Posts.....	Revenue	1945,25,00,000	..	1945,25,00,000
13	Department of Telecommunications.....	Revenue	..	7,00,000	7,00,000
14	Department of Information Technology.....	Revenue	100,00,00,000	..	100,00,00,000
15	Department of Consumer Affairs.....	Revenue	8,66,00,000	..	8,66,00,000
16	Department of Food and Public Distribution.....	Revenue	5109,45,00,000	1,64,00,000	5111,09,00,000
17	Ministry of Corporate Affairs.....	Revenue Capital	14,48,00,000 30,00,00,000	.. ..	14,48,00,000 30,00,00,000
18	Ministry of Culture.....	Revenue	98,89,00,000	..	98,89,00,000
19	Ministry of Defence.....	Revenue Capital	354,39,00,000 9,81,00,000	.. ..	354,39,00,000 9,81,00,000
20	Defence Pensions.....	Revenue	1941,00,00,000	..	1941,00,00,000
21	Defence Services—Army.....	Revenue	6303,26,00,000	..	6303,26,00,000
22	Defence Services—Navy.....	Revenue	688,88,00,000	..	688,88,00,000
23	Defence Services—Air Force.....	Revenue	1120,79,00,000	..	1120,79,00,000
24	Defence Ordnance Factories.....	Revenue	100,00,00,000	..	100,00,00,000
25	Defence Services—Research and Development....	Revenue	259,65,00,000	..	259,65,00,000
27	Ministry of Development of North-Eastern Region.....	Revenue	1,90,00,000	..	1,90,00,000
28	Ministry of Earth Sciences.....	Revenue Capital	49,76,00,000 1,00,000	.. ..	49,76,00,000 1,00,000
29	Ministry of Environment and Forests.....	Revenue Capital	27,03,00,000 70,00,000	.. ..	27,03,00,000 70,00,000
30	Ministry of External Affairs.....	Revenue	778,11,00,000	..	778,11,00,000
31	Department of Economic Affairs.....	Revenue Capital	204,43,00,000 1000,60,00,000	.. ..	204,43,00,000 1000,60,00,000
32	Payments to Financial Institutions.....	Revenue Capital	40668,40,00,000 4996,23,00,000	.. ..	40668,40,00,000 4996,23,00,000
33	Department of Financial Services.....	Revenue	9,00,00,000	..	9,00,00,000
35	Transfers to State and Union territory Governments.....	Revenue Capital	3240,66,00,000 2000,00,00,000	.. 2000,00,00,000	3240,66,00,000 2000,00,00,000

1 No. of Vote	2 Services and purposes	3		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
	CHARGED.— <i>Repayment of Debt</i> .....	Capital .....	8622,63,00,000	8622,63,00,000
38	Department of Expenditure .....	Revenue 7,18,00,000	..	7,18,00,000
39	Pensions .....	Revenue 2050,00,00,000	..	2050,00,00,000
40	Indian Audit and Accounts Department .....	Revenue 344,97,00,000	6,58,00,000	351,55,00,000
41	Department of Revenue .....	Revenue 40,49,00,000	..	40,49,00,000
42	Direct Taxes .....	Revenue 303,55,00,000	..	303,55,00,000
43	Indirect Taxes .....	Revenue 373,29,00,000	..	373,29,00,000
44	Department of Disinvestment .....	Revenue 57,00,000	..	57,00,000
		Capital 1,00,000	..	1,00,000
45	Ministry of Food Processing Industries .....	Revenue 2,10,00,000	..	2,10,00,000
46	Department of Health and Family Welfare .....	Revenue 378,30,00,000	..	378,30,00,000
		Capital 1,00,000	..	1,00,000
47	Department of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH) .....	Revenue 35,60,00,000	..	35,60,00,000
48	Department of Health Research .....	Revenue 7,00,000	..	7,00,000
49	Department of Heavy Industry .....	Revenue 813,99,00,000	..	813,99,00,000
		Capital 1,00,000	..	1,00,000
50	Department of Public Enterprises .....	Revenue 79,00,000	..	79,00,000
51	Ministry of Home Affairs .....	Revenue 255,36,00,000	10,00,000	255,46,00,000
52	Cabinet .....	Revenue 41,78,00,000	..	41,78,00,000
53	Police .....	Revenue 5065,79,00,000	4,00,000	5065,83,00,000
		Capital 2,00,000	80,00,000	82,00,000
54	Other Expenditure of the Ministry of Home Affairs .....	Revenue 84,35,00,000	..	84,35,00,000
55	Transfers to Union territory Governments .....	Revenue 165,00,00,000	..	165,00,00,000
56	Ministry of Housing and Urban Poverty Alleviation .....	Revenue 2,17,00,000	..	2,17,00,000
57	Department of School Education and Literacy ....	Revenue 282,35,00,000	..	282,35,00,000
		Capital 761,54,00,000	..	761,54,00,000
58	Department of Higher Education .....	Revenue 554,68,00,000	..	554,68,00,000
59	Ministry of Information and Broadcasting .....	Revenue 238,19,00,000	..	238,19,00,000
60	Ministry of Labour and Employment .....	Revenue 117,35,00,000	..	117,35,00,000
		Capital 625,00,00,000	..	625,00,00,000
61	Election Commission .....	Revenue 1,87,00,000	..	1,87,00,000
62	Law and Justice .....	Revenue 208,28,00,000	..	208,28,00,000
	CHARGED.— <i>Supreme Court of India</i> .....	Revenue .....	12,41,00,000	12,41,00,000
64	Ministry of Micro, Small and Medium Enterprises .....	Revenue 53,63,00,000	..	53,63,00,000
65	Ministry of Mines .....	Revenue 77,02,00,000	..	77,02,00,000
66	Ministry of Minority Affairs .....	Revenue 1,72,00,000	..	1,72,00,000
67	Ministry of New and Renewable Energy .....	Revenue 3,55,00,000	..	3,55,00,000
68	Ministry of Overseas Indian Affairs .....	Revenue 1,38,00,000	..	1,38,00,000
69	Ministry of Panchayati Raj .....	Revenue 74,00,000	..	74,00,000
70	Ministry of Parliamentary Affairs .....	Revenue 92,00,000	..	92,00,000
71	Ministry of Personnel, Public Grievances and Pensions .....	Revenue 142,55,00,000	4,45,00,000	147,00,00,000
72	Ministry of Petroleum and Natural Gas .....	Revenue 65944,54,00,000	..	65944,54,00,000

No. of Vote	Services and purposes		3		
			Sums not exceeding		Total
			Voted by Parliament	Charged on the Consolidated Fund	
73	Ministry of Planning .....	Revenue	Rs.	Rs.	Rs.
74	Ministry of Power .....	Revenue	10,83,00,000	..	10,83,00,000
	CHARGED.— <i>Staff, Household and Allowances of the President</i> .....	Revenue	29,79,00,000	..	29,79,00,000
76	Lok Sabha .....	Revenue	..	3,08,00,000	3,08,00,000
77	Rajya Sabha .....	Revenue	24,89,00,000	..	24,89,00,000
	CHARGED.— <i>Union Public Service Commission</i> .....	Revenue	10,28,00,000	..	10,28,00,000
79	Secretariat of the Vice-President .....	Revenue	30,00,000	..	30,00,000
80	Department of Rural Development .....	Revenue	21360,57,00,000	..	21360,57,00,000
81	Department of Land Resources .....	Revenue	79,00,000	..	79,00,000
82	Department of Drinking Water Supply .....	Revenue	100,42,00,000	..	100,42,00,000
83	Department of Science and Technology .....	Revenue	118,15,00,000	..	118,15,00,000
84	Department of Scientific and Industrial Research .....	Revenue	207,09,00,000	..	207,09,00,000
85	Department of Biotechnology .....	Revenue	12,32,00,000	..	12,32,00,000
86	Department of Shipping .....	Revenue	17,20,00,000	..	17,20,00,000
		Capital	1,30,00,000	..	1,30,00,000
87	Department of Road Transport and Highways .....	Revenue	13,22,00,000	..	13,22,00,000
88	Ministry of Social Justice and Empowerment .....	Revenue	12,72,00,000	..	12,72,00,000
89	Department of Space .....	Revenue	220,95,00,000	..	220,95,00,000
		Capital	5,00,00,000	..	5,00,00,000
90	Ministry of Statistics and Programme Implementation .....	Revenue	56,89,00,000	..	56,89,00,000
91	Ministry of Steel .....	Revenue	2,88,00,000	..	2,88,00,000
92	Ministry of Textiles .....	Revenue	245,05,00,000	..	245,05,00,000
		Capital	1,00,000	..	1,00,000
93	Ministry of Tourism .....	Revenue	5,70,00,000	..	5,70,00,000
94	Ministry of Tribal Affairs .....	Revenue	4,27,00,000	..	4,27,00,000
95	Andaman and Nicobar Islands .....	Revenue	116,14,00,000	..	116,14,00,000
		Capital	205,00,00,000	..	205,00,00,000
97	Dadra and Nagar Haveli .....	Revenue	14,18,00,000	..	14,18,00,000
98	Daman and Diu .....	Revenue	12,03,00,000	..	12,03,00,000
99	Lakshadweep .....	Revenue	17,73,00,000	..	17,73,00,000
		Capital	2,00,000	..	2,00,000
100	Department of Urban Development .....	Revenue	12,09,00,000	..	12,09,00,000
		Capital	400,00,00,000	..	400,00,00,000
101	Public Works .....	Revenue	112,65,00,000	..	112,65,00,000
102	Stationery and Printing .....	Revenue	40,23,00,000	..	40,23,00,000
103	Ministry of Water Resources .....	Revenue	112,70,00,000	..	112,70,00,000
		Capital	1,61,00,000	..	1,61,00,000
104	Ministry of Women and Child Development .....	Revenue	13,07,00,000	..	13,07,00,000
105	Ministry of Youth Affairs and Sports .....	Revenue	551,07,00,000	..	551,07,00,000
	TOTAL		226622,06,00,000	10663,78,00,000	237285,84,00,000

### STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India, read with article 115 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the supplementary expenditure charged on the Consolidated Fund of India and the grants made by the Lok Sabha for expenditure of the Central Government, excluding Railways, for the financial year 2008-09.

P. CHIDAMBARAM.

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### PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

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[Copy of letter No. F 4(12)-B(SD)/2008 dated the 17th October, 2008 from Shri P. Chidambaram, Minister of Finance to the Secretary-General, Lok Sabha]

The President, having been informed of the subject matter of the proposed Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2008-2009, recommends under article 117(1) and (3) of the Constitution, the introduction of the Appropriation (No. 3) Bill, 2008 in the Lok Sabha and also the consideration of the Bill.

**BILL No. 56 OF 2008**

*A Bill further to amend the Employees' State Insurance Act, 1948.*

BE it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Employees' State Insurance (Amendment) Act, 2008.

(2) It shall be deemed to have come into force on the 3rd day of July, 2008.

34 of 1948.

Substitution of new Chapter for Chapter VA.

2. In the Employees' State Insurance Act, 1948 (hereinafter referred to as the principal Act), for Chapter VA, the following Chapter shall be substituted, namely:—

**'CHAPTER VA****SCHEME FOR OTHER BENEFICIARIES**

Definitions.

73A. In this Chapter,—

(a) "other beneficiaries" means persons other than the person insured under this Act;

(b) "Scheme" means any Scheme framed by the Central Government from time to time under section 73B for the medical facility for other beneficiaries;

(c) "underutilised hospital" means any hospital not fully utilised by the persons insured under this Act;

(d) "user charges" means the amount which is to be charged from the other beneficiaries for medical facilities as may be notified by the Corporation in consultation with the Central Government from time to time.

73B. Notwithstanding anything contained in this Act, the Central Government may, by notification in the Official Gazette, frame Scheme for other beneficiaries and the members of their families providing medical facility in any hospital established by the Corporation in any area which is underutilised hospital on payment of user charges.

73C. The user charges collected from the other beneficiaries shall be deemed to be contribution and shall form part of the Employees' State Insurance Fund.

73D. The Scheme may provide for all or any of the following matters, namely:—

(i) the other beneficiaries who may be covered under this Scheme;

(ii) the time and manner in which the medical facilities may be availed by the other beneficiaries;

(iii) the form in which the other beneficiary shall furnish particulars about himself and his family whenever required as may be specified by the Corporation;

(iv) any other matter which is to be provided for in the Scheme or which may be necessary or proper for the purpose of implementing the Scheme.

73E. The Central Government may, by notification in the Official Gazette, add to, amend, vary or rescind the Scheme.

73F. Every Scheme framed under this Chapter shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Scheme or both Houses agree that the Scheme should not be made, the Scheme shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Scheme.'

Ord. 7 of  
2008.

3. (1) The Employees' State Insurance (Amendment) Ordinance, 2008, is hereby repealed.

Power to frame Scheme.

Collection of user charges.

Scheme for other beneficiaries.

Power to amend Scheme.

Laying of Scheme framed under this Chapter.

Repeal and saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act.

**STATEMENT OF OBJECTS AND REASONS**

The Employees' State Insurance Act, 1948 is a social security legislation that provides for certain benefits to employees in case of sickness, maternity and employment injury and to make provision for certain other matters in relation thereto.

2. The Rashtriya Swasthya Bima Yojana Scheme has already become operational with effect from 1-4-2008. The Scheme has picked up momentum. Almost all the States have agreed to implement the Scheme and a majority of them have already advertised for the implementation of the same. More than 1.25 lakh smart cards have been issued by 15-6-2008. This number at present has risen to over 2 lakhs. Some recipients of these cards have already been assisted by way of hospitalisation. It is, therefore, considered essential and urgent to enable Employees' State Insurance Corporation to participate in the Scheme with immediate effect. By providing health services to the unorganised sector workers under the Rashtriya Swasthya Bima Yojana Scheme, both the unorganised sector workers and the Employees' State Insurance Corporation will benefit by the Employees' State Insurance Corporation making available its vast network of hospitals for providing medical care on user charges, wherever the same are underutilised. In view of the urgency as pointed out above, the Employees' State Insurance (Amendment) Ordinance, 2008 was promulgated on the 3rd July, 2008.

3. The salient features of the said Ordinance are as follows:—

(i) it empowers the Central Government to frame Schemes for any other person who is not insured under the Employees' State Insurance Act, 1948 also to avail the medical facility in the Employees' State Insurance run hospitals;

(ii) the facilities to other persons shall be given in the underutilised hospitals which are not fully utilised by the Employees' State Insurance beneficiaries;

(iii) for availing medical facilities, the other persons shall pay the charges as may be notified by the Corporation in consultation with the Central Government from time to time;

(iv) the Scheme shall provide the time and manner in which the medical facilities may be availed by other beneficiaries. It shall also provide for the form in which the beneficiary shall furnish particulars about himself and his family members whenever required by the Corporation.

4. The Bill seeks to replace the aforesaid Ordinance.

NEW DELHI;

OSCAR FERNANDES.

*The 29th September, 2008.*

### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2 of the Bill seeks to substitute Chapter VA so as to empower the Central Government to frame a Scheme for other beneficiaries and the members of their families providing medical facility in hospital established by the Corporation in any area which is underutilised on payment of user charges.

2. The Scheme may provide for all or any of the following matters, namely:—
  - (i) the other beneficiaries who may be covered under this Scheme;
  - (ii) the time and manner in which the medical facilities may be availed by the other beneficiaries;
  - (iii) the form in which the other beneficiary shall furnish particulars about himself and his family whenever required as may be specified by the Corporation;
  - (iv) any other matter which is to be provided for in the Scheme or which may be necessary or proper for the purpose of implementing the Scheme.

3. The matters in respect of which the Scheme may be framed are of administrative and procedural details and it is not practicable to provide for them in the Bill itself. The delegation of legislative power is, therefore, of a normal character.

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P.D.T. ACHARY,  
*Secretary-General.*